

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : CRIMINAL NO. 1:CR-01-336-01
: :
v. : :
: :
TYRONE SMITH a/k/a "Manny" : :

ORDER

Before the court is a letter from Defendant in which he raises issues concerning the performance of his counsel at his resentencing hearing. The court will not accept the document as filed. Defendant shall refile his complaint on the appropriate 28 U.S.C. § 2255 form and resubmit his motion and supporting brief. The motion shall only address issues pertinent to his resentencing and not issues related to prior proceedings. Defendant is advised that disposition of any motion may be deferred pending the result of any appeal of his resentencing.

IT IS SO ORDERED.

s/Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge

Dated: August 3, 2005.